



Department of Justice

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ARKANSAS MAN PLEADS GUILTY TO PRODUCTION AND TRANSPORTATION OF CHILD PORNOGRAPHY

WASHINGTON – Brian Bergthold, 45, of Bella Vista, Ark., has pleaded guilty to two separate criminal informations charging him with three counts related to child pornography offenses, Assistant Attorney General Alice S. Fisher of the Criminal Division and U.S. Attorney Robert C. Balfe of the Western District of Arkansas announced today.

A criminal information, filed in the Western District of Arkansas, charges Bergthold with one count of producing child pornography and one count of transporting child pornography. A separate one-count criminal information was filed in the District of Oregon, and was later transferred to the Western District of Arkansas, charging the defendant with an additional count of production of child pornography.

Sentencing will be scheduled by U.S District Judge Jimm Hendren at a later date. Bergthold faces a minimum of 15 years in prison and a maximum of 70 years in prison. Bergthold will also face a fine of \$250,000 and a term of supervised release following his prison sentence for a minimum of five years and up to life. Bergthold has agreed to the criminal forfeiture of his home.

As part of his plea, Bergthold admitted that he acted as a foster parent for the Arkansas Department of Human Services, who placed a 15-year-old boy in his care at his home in Bella Vista. Bergthold admitted that he had sexual contact with and produced several photos and videos of the male minor. Specifically, between Feb. 7, 2006, and Feb. 21, 2006, Bergthold directed the minor to engage in sexual acts while he filmed the boy with a video camera. The video reveals Bergthold's own face and his voice can be heard giving verbal directions to the male minor. Bergthold himself can also be seen in the video molesting the boy.

During the search of Bergthold's home, investigators also located a VHS tape that contained movie images of a minor male and a minor female engaged in sexually explicit conduct. This VHS tape was produced by Bergthold in the state of Oregon and was transported by Bergthold from Oregon to Arkansas when he moved to Arkansas on or about October 2001 to May 2002. This videotape was produced by Bergthold between on or about June 1, 2000, and July 31, 2000. At that time, the male minor was 17 years old and the female minor was 14 years old.

Federal and local law enforcement worked in cooperation to investigate this case. Federal investigators included special agents from U.S. Immigration and Customs Enforcement at the Department of Homeland Security in both the Western District of Arkansas and the District of Oregon. The local law enforcement entities included the Bella Vista Police Department, with support from the Benton County Sheriff's Office, the Fayetteville Police Department, the Bentonville Police Department, and the Fort Smith Police Department. The case was prosecuted by Assistant U.S. Attorney Kyra Jenner for the Western District of Arkansas and Trial Attorney Steven Grocki of the Child Exploitation and Obscenity Section of the Department of Justice's Criminal Division.

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